

LEGISLATIVE JOURNAL

SEVENTY-SIXTH (EXTRAORDINARY) SESSION

FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Monday, June 6, 1966

Pursuant to a proclamation by His Excellency, Frank B. Morrison, Governor of the State of Nebraska, the Seventy-sixth (Extraordinary) Session of the Legislature of Nebraska assembled in Legislative Hall of the Capitol Building at the hour of 9:00 a.m., June 6, 1966, and was called to order by President Philip C. Sorensen.

Prayer was offered by the Reverend Robert E. Palmer, Chaplain.

Prayer

We ask thy guidance, O God, upon each and all of us as we begin this special session. Clarify our understanding of the monetary problems facing us, and unite us in a common effort for their solutions. Deliver us from futile hopes and from looking back, that we may move into ever widening horizons. Where we cannot convince, let us be willing to persuade, and help us to see that small deeds accomplished are better than great deeds imagined. We know that we cannot do everything this session, but help us to do that which is necessary, for our sakes, for our people's sakes, and for Jesus' sake. Amen.

Communication

Letter from Mr. Fleming thanking the members for the flowers they sent to him.

The roll was called and the following members were present:

Adamson, Elvin	Holmquist, C. W.	Paxton, Chester
Batchelder, Clifton B.	Hughes, Calista Cooper	Payne, Dale L.
Bauer, Hal W.	Kjar, Albert A.	Pedersen, Henry F., Jr.
Bowen, Kenneth L.	Klaver, Sam	Proud, Richard F.
Brauer, S. H., Sr.	Knight, John C.	Rasmussen, Eric
Budd, Rick	Kokes, Rudolf C.	Rasmussen, Ross H.
Burbach, J. W.	Kremer, M. A.	Ruhnke, Arnold
Carpenter, Terry	Lysinger, Richard R.	Skarda, William R., Jr.
Carstens, Fred W.	Mahoney, Eugene T.	Stromer, Marvin E.
Claussen, Peter H.	Marvel, Richard D.	Stryker, Harold B.
Craft, Ellen C.	Matzke, Stanley A.	Syas, George
Crandall, H. C.	Moulton, Pat	Wallwey, Elmer
Elrod, Donald	Moylan, Harold T.	Warner, Jerome
Gerdes, George C.	Nelson, Frank	Whitney, Ramey C.
Harsh, Lester	Nore, Herb	Wylie, William M.
Hasebroock, W. H.	Orme, Fern Hubbard	

Members Excused

Messrs. Danner and Fleming were excused.

DECLARATION

Members of the Legislature:

Pursuant to a proclamation issued by the Honorable Frank B. Morrison, Governor of Nebraska, we are here and now assembled in the 76th session of the Nebraska Legislature. I, as President, declare that we are now open for the transaction of business.

(Signed) Philip C. Sorensen

PROCLAMATION

By virtue of the authority vested in the Governor by Section 8, Article IV, of the Constitution of Nebraska, I, Frank B. Morrison, as Governor of the State of Nebraska, believing that an extraordinary occasion has arisen, do hereby call the Legislature of Nebraska to convene in extraordinary session at the State Capitol on June 6, 1966, at 9 o'clock a.m., for the purpose of considering and, if deeming it advisable, enacting legislation relating to the following subjects:

1. Changing the method of valuing the stock of foreign corporations for purposes of taxation from book value to fair market value.

2. The amendment or repeal of Section 77-1736.04, Reissue Revised Statutes of Nebraska, 1943, as amended by Chapter 494, Laws of Nebraska, 1965, relating to refund of taxes and penalties.

3. To appropriate funds for the necessary expenses of the extraordinary session herein called.

I direct that members of the Legislature of the State of Nebraska be notified of the convening of this extraordinary session by mailing to each of them a copy of this proclamation.

IN WITNESS WHEREOF, I have herewith set my hand and caused the seal of this office to be affixed this thirty-first day of May, 1966.

(Signed) Frank B. Morrison, Governor

(SEAL)

Visitors

Mr. Holmquist introduced Miss Elja McCullough, Associate Professor of Education, Dana College, and 64 teachers from Nebraska and Iowa.

MOTION—Officers

Mr. President: I move that the officers elected for the 75th session, be retained for this, the 76th session:

Clerk of the Legislature
Sergeant at Arms
Assistant Sergeant at Arms
Chaplain

(Signed) Frank Nelson

Motion prevailed.

MOTION—Rules

Mr. President: I move that the rules of the 75th session be used in this, the 76th session with the exception of the number of officers as provided in the motion previously adopted regarding the officers.

(Signed) Peter H. Claussen

Motion prevailed.

MOTION—Committee on Credentials

Mr. President: I move that a committee of three be appointed on Credentials.

(Signed) Kenneth L. Bowen

The motion prevailed and the President appointed the following members to serve on said committee: Bowen, Chairman, Adamson and Orme

Messages from the Secretary of State

Mr. Hugo Srb
Clerk of the Legislature
Capitol Building
Lincoln, Nebraska

June 3, 1966

Dear Mr. Srb:

We hand you herewith the official appointment of Don Elrod as a Member of the Legislature from the Thirty-Fifth District for the unexpired term of Ira E. Paine, deceased.

Sincerely yours,

(Signed) Frank Marsh
Secretary of State

FM:bls
Enclosure

Frank Marsh, Secretary of State of the State of Nebraska does hereby certify that DON ELROD has been appointed a Member of the Nebraska State Legislature from the Thirty-Fifth District, for the unexpired term of Ira E. Paine, deceased, for the term beginning April 20, 1966, for such time as he shall satisfactorily perform all the duties imposed upon such officer by law, and until January 3, 1967, and until a successor is duly elected and qualified.

I further certify that the foregoing appointment was made by Governor Frank B. Morrison under the authority granted by Section 32-1042 of the Revised Statutes of Nebraska.

In testimony whereof, I have hereunto set my hand and affixed the Great Seal of the State of Nebraska.

Done at Lincoln this Third day of June in the year of our Lord, one thousand nine hundred and sixty-six.

(Signed) Frank Marsh

(SEAL)

June 3, 1966

Mr. Hugo Srb
Clerk of the Legislature
Capitol Building
Lincoln, Nebraska

Dear Mr. Srb:

We hand you herewith the official appointment of Ellen Craft as

a Member of the Legislature from the Forty-Fifth District for the unexpired term of Cecil Craft, deceased.

Sincerely yours,

(Signed) Frank Marsh
Secretary of State

FM:bls

Enclosure

Frank Marsh, Secretary of State of the State of Nebraska does hereby certify that ELLEN CRAFT has been appointed a Member of the Nebraska State Legislature from the Forty-Fifth District, for the unexpired term of Cecil Craft, deceased, for the term beginning March 18, 1966, for such time as she shall satisfactorily perform all the duties imposed upon such officer by law, and until January 3, 1967, and until a successor is duly elected and qualified.

I further certify that the foregoing appointment was made, by Governor Frank B. Morrison under the authority granted by Section 32-1042 of the Revised Statutes of Nebraska.

In testimony whereof, I have hereunto set my hand and affixed the Great Seal of the State of Nebraska.

Done at Lincoln this third day of June in the year of our Lord, one thousand nine hundred and sixty-six.

(Signed) Frank Marsh
Secretary of State

(SEAL)

Ease

The Legislature was at ease from 9:10 a.m. until 9:12 a.m.

Report of Committee on Credentials

Mr. President: Your Committee on Credentials hereby reports that the following named are entitled to seats in this body: Ellen E. Craft, 45th District; Donald Elrod, 35th District.

(Signed) Kenneth L. Bowen, Chairman
Fern Hubbard Orme
Elvin Adamson

MOTION—Report

Mr. President: I move that the report of the Committee on Credentials be adopted.

(Signed) Kenneth L. Bowen, Chairman
Credentials Committee

The motion prevailed.

Communication

June 6, 1966

The President, the Speaker,
and Members of the Legislature
State Capitol
Lincoln, Nebraska

Gentlemen:

Governor Morrison requests permission to address your honorable body.

Respectfully,

(Signed) Gene A. Budig
Administrative Assistant

MOTION—Notify Governor

Mr. President: I move that the President appoint a committee of five to notify the Governor that the Legislature is now organized and ready to receive communications and to escort him to the chamber.

(Signed) J. W. Burbach

The motion prevailed and the President appointed the following members to serve on said committee: Burbach, Craft, Elrod, Stryker and Gerdes.

Ease

The Legislature was at ease from 9:15 until 9:20 a.m.

Escort Governor

The committee escorted Governor Frank B. Morrison to the rostrum.

Governor's Message

Mr. President, Mr. Speaker, Members of the Legislature:

This special session of the Legislature is called pursuant to the provisions of our Constitution, which in Article IV, Section 8, provides:

"The Governor may, on extraordinary occasions, convene the Legislature by proclamation, stating therein the purpose for which they are convened, and the Legislature shall enter upon no business except that for which they were called together."

Our Supreme Court in *Arrow Club, Inc. v. Nebraska Liquor Control Commission*, 177 Neb. 686, 1964, in considering this provision quoted:

"This constitutional provision contemplates that there shall first exist in the executive mind a definite conception of the public emergency which demands an extraordinary session."

It is the Governor's responsibility to limit special session calls to crises created by emergencies, which did not exist at the time of the regular session, or to situations which cannot await the next regular session.

The decision in the *Rehkopf* case created an emergency, which did not exist at the time of the last regular session. In this case the Supreme Court of Nebraska held that "The proper construction of Section 77-722, R. R. S. 1943" required shares of foreign corporation stock to be valued at book value," . . . although this construction results in the property being valued at a fraction of its actual value or fair market value."

This is contrary to the policy previously followed by assessors. Market value in most cases is much higher than book value.

This new interpretation creates a financial crises in local political subdivisions, particularly within our school districts, cities and villages, because of the unanticipated reduction in revenue. The state tax commissioner placed the tax dollar loss at no less than three million dollars.

What will happen if we do not return to the practice which has been utilized for the past forty years? Higher property taxes will have to be levied on our farmers, businessmen and homeowners, and in certain areas there will be a curtailment of essential services and programs. Budget expectations will not be met. Local governmental and school services will suffer.

This court decision constitutes an unforeseen crisis which the last session of the Legislature could not have foreseen and a situation which will not await the next regular session of the Legislature. I, therefore, have called you into special session.

The proposed solutions which the Governor's office has prepared are only interim in nature and should not be construed as permanent policy. I am not asking that you undertake a general tax reorganization. This is properly a function of the next regular legislative session which will convene in just a few months. General tax recommendations will be made at that time.

It would have been a violation of the spirit of the Constitution to have broadened the call to consider the general tax situation. This area was given detailed attention and study in the last session.

More than 100 of the 1965 Session's 937 bills dealt with taxation, ranging from repeal of the intangible and franchise taxes through penalties to local sales and cigarette taxes, comprehensive intangible tax revision, and the general sales and income tax proposals.

There have been no major changes in the general tax picture since the last legislative session which extended from January to August. The Constitution was not framed to permit the Governor's call to force the Legislature to reconsider the decisions of the regular session.

I was asked to include a number of items in my special session call. In reviewing these requests, I considered whether there existed a crisis or situation which did not exist at the time of the last regular session, and whether the solution to any of these problems could not await the considered action of the next regular session of the Legislature.

Among the items suggested were the University of Nebraska's budget problem and the mechanical questions of LB 301, the educational service unit measure. The University does have a problem that must be met, but it can be deferred until the next regular session without curtailing any of its activities. The mechanics of LB 301 can, and must be, improved at the next regular session, but there has been no court decision changing 301 since its adoption.

I have called this extraordinary session of the Legislature for the purpose of considering and, if deeming it advisable, enacting legislation relating to the following subjects:

1. Changing the method of valuing the stock of foreign corporations for purposes of taxation from book value to fair market value.
2. The amendment or repeal of Section 77-1736.04, Reissue Revised Statutes of Nebraska, 1943, as amended by Chapter 494, Laws of Nebraska, 1965, relating to refund of taxes and penalties.
3. To appropriate funds for the necessary expenses of the extraordinary session herein called.

The remedial legislation has been prepared and I have asked Senator Burbach, Chairman of the Revenue Committee, and Senator Gerdes of the Budget Committee to serve as introducers. I respectfully request your favorable consideration.

The Committee escorted the Governor from the Chamber.

MOTION—Committee Appointments

Mr. President: I move that the two new members, Ellen E. Craft and Donald Elrod, be appointed to the committees on which their

predecessors, Cecil Craft and Ira L. Paine, served, with the exception of the chairmanship of the Public Works Committee, which chairmanship is awaiting consideration of the Committee on Committees; and that with this exception the membership on all standing committees be the same as during the 75th regular session.

(Signed) Elvin Adamson

The motion prevailed.

Visitors

Mrs. Orme introduced Mr. D. V. Arcus of Hamilton, New Zealand; Mr. Peter Arcus, Fullbright Scholarship student at Iowa State College and Mr. Harold Edwards of Lincoln.

Mr. Stromer introduced Mr. Horace Gomon and Capt. Charles Gomon of Lincoln.

Ease

The Legislature was at ease from 9:30 until 9:38 a.m.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1. By J. W. Burbach, Legislative District 19 and George C. Gerdes, Legislative District 49.

A BILL FOR AN ACT to amend section 77-722, Reissue Revised Statutes of Nebraska, 1943, relating to revenue and taxation; to provide the method of determining the value of stock of foreign corporations; to provide for the application of this act; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 2. By J. W. Burbach, Legislative District 19 and George C. Gerdes, Legislative District 49.

A BILL FOR AN ACT to amend section 77-1736.04, Reissue Revised Statutes of Nebraska, 1943, as amended by Chapter 494, Laws of Nebraska, 1965, relating to revenue and taxation; to limit a refund of any tax or assessment found to be illegal; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 3. By Richard D. Marvel, Legislative District 33.

A BILL FOR AN ACT to transfer nineteen thousand dollars from the unexpended balance heretofore appropriated to the Clerk of the

Legislature by Chapter 360, Laws of Nebraska, 1965, to provide for the program bill drafting services and program legislative services, as defined in the Accounting Manual on file in the office of the Department of Administrative Services, incurred during the Seventy-sixth (Extraordinary) Session of the Legislature of the State of Nebraska; and to declare an emergency.

MOTION—Suspend Rules

Mr. Burbach moved to suspend the rules and place LB 1, LB 2 and LB 3 on General File.

Mr. Carpenter moved to amend the Burbach motion to have this body resolve itself in a committee of the whole and conduct a public hearing on these three bills tomorrow morning at 9 a.m., and request the Governor and Tax Commissioner to be present.

Motion pending.

Recess

Mr. Ruhnke moved to recess until 1:00 p.m., and that the Clerk of the Legislature have mimeographed copies of LB 1 and LB 2 placed on the members' desks at that time.

The motion prevailed and at 9:50 a.m. the Legislature recessed until 1:00 p.m.

After Recess

The Legislature reconvened at 1:00 p.m., President Sorensen presiding.

The roll was called and all members were present except Messrs. Danner and Fleming, who were excused.

MOTION—Recess

At 1:05 p.m. Mr. Ruhnke moved to recess until 1:30 p.m. The motion prevailed.

After Recess

The Legislature reconvened at 1:34 p.m., President Sorensen presiding.

The roll was called and all members were present except Messrs. Danner and Fleming, who were excused.

Ease

The Legislature was at ease from 1:35 until 2:09 p.m.

Communication

Communication from Congressman Glenn Cunningham regarding Public Law 89-430 and enclosing a copy thereof.

RESOLUTION

LEGISLATIVE RESOLUTION 1. Re: In Memory of Former Members of the Legislature.

Introduced by Kenneth L. Bowen, Legislative District 37 and Donald Elrod, Legislative District 35.

WHEREAS, we are born, we live, and we die; and

WHEREAS, as we meet today we find that the Almighty Father has taken into His charge two of our present members and many of our former members, who will not return from their glorious resting place; and

WHEREAS, those members who are peaceably resting in that glorious abode above be assured that their efforts are being preserved and their memories are being cherished.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SEVENTY-SIXTH (EXTRA-ORDINARY) SESSION ASSEMBLED:

1. That we pause in our deliberations and stand in silent tribute to the memories of Cecil Craft and Ira E. Paine, who died during the present term of office and to former members John Beaver, Edith Beckman, Gustaf A. Meline, Christian E. Metzger, and Franz C. Radke, who by their labors, helped to mold the institutions and traditions which we now seek to preserve and perpetuate.

2. That the Clerk of the Legislature be directed to spread at large on the Legislative Journal this resolution, and that a copy of said resolution, properly authenticated and suitably engrossed, be sent by the Clerk to each of the families of the deceased members above named as an expression of our respect for the deceased and our sympathy for the bereaved.

Mr. Bowen asked unanimous consent the Resolution be adopted. No objections. So ordered.

Mr. Bowen asked unanimous consent that all the members' names be placed on Legislative Resolution 1. No objections. So ordered.

MOTION—Suspend Rules

Mr. Carpenter renewed his pending amendment to the Burbach motion found in this day's Journal.

Mr. Carpenter asked unanimous consent to modify his amendment by striking “, and request the Governor and Tax Commissioner to be present.”

No objections. So ordered.

The Carpenter amendment, as modified, prevailed with 30 ayes, 17 nays and 2 not voting.

Mr. Burbach moved to amend the time of the public hearing from 9:00 until 9:30 a.m.

The motion prevailed.

The Burbach motion, as amended, was adopted with 45 ayes, 0 nays and 4 not voting.

Appointment

The President appointed Mr. Burbach as Chairman of the Committee of the whole for the public hearing tomorrow at 9:30 a.m.

MOTIONS—Public Hearing

Mr. Stryker moved that the Legislature invite a representative of the Attorney General's Office and the Tax Commissioner's Office to be present tomorrow morning for the public hearing.

The motion prevailed.

Mr. Carpenter moved that the entire proceedings of the public hearing tomorrow be recorded.

The motion prevailed.

UNANIMOUS CONSENT—Committee Meeting

Mr. Adamson asked unanimous consent to hold a meeting of the Committee on Committees in the West Senate Lounge immediately upon adjournment.

No objections. So ordered.

Adjournment

At 2:42 p.m., on a motion by Mr. Pedersen, the Legislature adjourned until 9:00 a.m., Tuesday, June 7, 1966.

Hugo F. Srb
Clerk of the Legislature

LEGISLATIVE JOURNAL—SEVENTY-SIXTH SESSION

SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, June 7, 1966

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Sorensen presiding.

Prayer was offered by the Chaplain.

Prayer

Stop us, O God, for a minute of prayer. Stop our anxious minds from wandering, and our hearts from desiring anything but to know Thy will and the good of the people. Let us stand at attention before Thee and hear what Thou hast to say to us. We believe that Thou canst tell us not only what to do, but also how to do it, and when. If it needs making up our minds, thou who didst make our minds can show us how to make them up. If it needs changing our minds, thou canst work that miracle, too. Speak, O Lord, and make us hear, for Jesus' sake. Amen.

The roll was called and all members were present except Messrs. Danner and Fleming who were excused.

Correction for the Journal

Page 3, line 33, delete "Kenneth H." and insert "Kenneth L.".

The Journal for the First Day was approved as corrected.

MESSAGE FROM THE GOVERNOR

June 7, 1966

The President, the Speaker,
and Members of the Legislature

Lincoln, Nebraska

Senators of the Seventy-sixth (Extraordinary) Session:

The following executive appointments are submitted for your consideration:

State Board of Health:

Edward B. Robinson, Omaha, for term expiring September 13, 1968
Dr. Fay Smith, Omaha, for term expiring September 13, 1968
H. K. Diers, Gresham, for term expiring September 13, 1968

Director of Administrative Services:

Willard E. Townsend, Lincoln, to serve at the pleasure of the Governor

Advisory State Highway Commission:

Robert O'Keefe, Omaha, for term expiring September 14, 1971 (reappointment)
Kirk Mendenhall, North Platte, for term expiring September 14, 1971 (reappointment)
Thane Davis, Hyannis, for term expiring September 14, 1971 (reappointment)

Board of Educational Lands and Funds:

Tom C. Allington, Sunol, for term expiring October 1, 1970 (reappointment)

Educational Television Commission:

Howard Stalnaker, Omaha, for term expiring November 18, 1971
Gordon (Bud) Pentz, Beatrice, for term expiring November 18, 1971
Joyce Purtzer, Scottsbluff, for term expiring November 18, 1967
Glen Ilgenfritz, Fremont, for term expiring November 18, 1969
Joseph Maresh, Dodge, for term expiring October 18, 1971 (reappointment)
Mrs. Maurice Frank, Omaha, for term expiring October 18, 1971 (reappointment)

Motor Vehicle Dealers License Board:

Julius Novak, Omaha, for term expiring October 19, 1968
Orville M. Parrish, Lincoln, for term expiring May 18, 1969 (reappointment)

Director of Motor Vehicles:

James E. Dunlevey, Lincoln, for term expiring January 5, 1967

Nebraska Oil and Gas Conservation Commission:

Cliff Griffin, McCook, for term expiring September 28, 1969 (reappointment)
John D. Knapp, Kimball, for term expiring September 28, 1969 (reappointment)

Game, Forestation and Parks Commission:

Charles E. Wright, McCook, to fill vacancy for term expiring January 15, 1970.

M. M. Muncie, Plattsmouth, for term expiring January 15, 1971

Nebraska Power Review Board:

Lawrence E. Donegan, Lincoln, for term expiring January 1, 1970 (reappointment)

Sheldon A. Bernstein, Omaha, for term expiring January 1, 1970 (reappointment)

State Employees Retirement Board:

Hodge Jones, Omaha, for term expiring January 1, 1969 (reappointment)

P. Merle Humphries, Lincoln, for term expiring January 1, 1969 (reappointment)

Director, Division of Employment, State Department of Labor:

Mark A. Seamark, Lincoln, for indefinite term

Advisory Committee on Public Institutions and Public Welfare:

Jack Molsbee, McCook, for term expiring January 1, 1971 (reappointment).

Respectfully,

(Signed) Frank B. Morrison
Governor

Referred to the Committee on Committees.

MOTION—Suspend Rules

Mr. President: I move to suspend the rules and have a hearing of the Committee on Committees on Thursday, June 9, 1966 at 1:00 p.m. to act on the appointments by the Governor.

(Signed) Elvin Adamson

The motion prevailed.

Visitor

Mr. Ruhnke introduced Mr. Joe Knoche, Plymouth, Nebraska.

STANDING COMMITTEE REPORT**Committee on Committees**

June 7, 1966

MR. PRESIDENT:

On June 6, 1966, the Committee on Committees gave their unanimous consent to the appointment of Senator Peter H. Claussen to fill the

vacancy created by the death of Senator Cecil Craft as Chairman of the Public Works Committee.

Respectfully submitted,

(Signed) Elvin Adamson, Chairma
Committee on Committees

MOTION—Adopt Report

Mrs. Orme moved the adoption of the report.

The motion prevailed.

Recess

Mr. Burbach moved to recess until the conclusion of the public hearing today.

The motion prevailed and the Legislature recessed at 9:26 a.m.

After Recess

The Legislature reconvened at 2:15 p.m., President Sorensen presiding.

The roll was called and all members were present except Mr. Fleming, who was excused.

MOTIONS—Suspend Rules

Mr. Syas moved to suspend the rules and place LB 1 on General File.

The motion prevailed with 45 ayes, 0 nays and 4 not voting.

Mr. Syas moved to suspend the rules and place LB 2 on General File.

The motion prevailed with 42 ayes, 0 nays and 7 not voting.

Mr. Syas moved to suspend the rules and place LB 3 on General File.

The motion prevailed with 46 ayes, 0 nays and 3 not voting.

Member Excused

Mr. Batchelder asked unanimous consent to be excused for Wednesday, June 8, 1966. No objections. So ordered.

MOTION—Suspend Rules

Mr. Stryker moved to suspend the rules to consider the bills on General File at this time.

The motion prevailed with 45 ayes, 0 nays and 4 not voting.

GENERAL FILE

LEGISLATIVE BILL 1. Read and Considered.

Mr. Carpenter offered the following amendment, which was adopted:

Section 1, line 8, insert after "value" the following: "as provided in Sec. 77-112".

Advanced to E and R for review with 43 ayes, 0 nays and 6 not voting.

LEGISLATIVE BILL 2. Read and Considered.

Mr. E. Rasmussen offered the following amendment, which was adopted:

Strike the words "two years" in line 28 and insert "sixty days".

Mr. Payne offered the following amendment, which was adopted:

Amend the title to conform with the bill.

Advanced to E and R for review with 43 ayes, 0 nays and 6 not voting.

LEGISLATIVE BILL 3. Read and Considered.

Advanced to E and R for review with 41 ayes, 0 nays and 8 not voting.

Explanation of Vote

Had I been present, I would have voted "aye" on LB 1.

(Signed) Herb Nore

UNANIMOUS CONSENT—Committee Meeting

Mr. Stryker asked unanimous consent to hold a meeting of the Power Committee in the Legislative Council at 4:00 p.m.

No objections. So ordered.

Member Excused

Mr. Paxton asked unanimous consent to be excused for Thursday and Friday, June 9 and June 10, 1966. No objections. So ordered.

MOTION—Suspend Rules

Mr. Bowen moved to suspend the rules that when we adjourn today we agree on procedure for convening as follows: June 8—12:05 a.m.; June 9—8:00 p.m.; June 10—12:05 a.m.; June 13—8:00 p.m.; and June 14—9:00 a.m.

The motion lost with 22 ayes, 18 nays and 9 not voting.

Adjournment

At 3:06 p.m., on a motion by Mr. Adamson, the Legislature adjourned until 9:00 a.m., Wednesday, June 8, 1966.

Hugo F. Srb
Clerk of the Legislature

LEGISLATIVE JOURNAL—SEVENTY-SIXTH SESSION

THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, June 8, 1966

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Sorensen presiding.

Prayer was offered by the Chaplain.

Prayer

Lord God, as we pray for the members of this body, its officers, and all those who share in its labors, we remember that Jesus was never in a hurry and never lost his inner peace even under pressure greater than we shall ever know. But we are only human. We grow tired. We feel the strain of meeting deadlines, and we chafe under frustration. We need poise and peace of mind, and only Thou canst supply the deepest needs of tired bodies, and jaded spirits, and frayed nerves. Give to us Thy peace and refresh us in our weariness, that this may be a good day with much done and done well, that we may say with thy servant Paul: "I can do all things through Christ, who gives me strength." Amen.

The roll was called and all members were present except Messrs. Batchelder, Bowen, Carpenter, Fleming, Klaver and Kokes, who were excused.

Correction for the Journal

Page 19, line 10, delete "9" and insert "8".

The Journal for the Second Day was approved as corrected.

Members Excused

Messrs. Skarda, Hasebroock, Mahoney and Nore asked unanimous consent to be excused for Thursday and Friday. No objections. So ordered.

Mr. Adamson asked unanimous consent to be excused for Friday. No objections. So ordered.

Message from the Governor

June 8, 1966

The President, the Speaker,
and Members of the Legislature
State Capitol
Lincoln, Nebraska

Senators of the Seventy-sixth (Extraordinary Session):

Please be informed that on January 24, 1966, I appointed Dr. Francis J. Brown of Genoa to the Board of Education of State Normal Schools to complete the unexpired term of A. D. Majors, which term expires January 1, 1967.

On March 10, 1966, I appointed Byron Dunn of Lincoln as Director of Banking to complete the unexpired term of Henry Ley.

Respectfully,

(Signed) Frank B. Morrison
Governor

Referred to the Committee on Committees.

Visitors

Mr. Burbach introduced Messrs. John Hruska and Emil Erickson from Omaha.

Mr. Syas introduced his daughter Janet.

RESOLUTIONS

LEGISLATIVE RESOLUTION 2. Re: Exhibits for 1967 Centennial

Introduced by Fern Hubbard Orme, 29th District; Ross H. Rasmussen, 15th District; Stanley A. Matzke, 24th District; Lester Harsh, 38th District

WHEREAS, the State of Nebraska will celebrate its Centennial in 1967, marking a century of state government; and

WHEREAS, the Nebraska Centennial Commission and the Nebraska State Historical Society will have special traveling exhibits as well as exhibits in the Nebraska Statehood Memorial and at the State Archives at the Nebraska State Historical Society; and

WHEREAS, these special exhibits can be educational and serve as an inspiration to the present as well as future generations.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SEVENTY-SIXTH (EXTRA-ORDINARY) SESSION ASSEMBLED:

1. That pursuant to the provisions of section 84-505, Reissue Revised Statutes of Nebraska, 1943, the Secretary of State is authorized to have removed from his office certain original laws, acts, resolutions, bonds, papers, records or artifacts now deposited there and place the same on loan to the Nebraska State Historical Society or the Nebraska Centennial Commission on condition that the Governor and the Secretary of State find that such materials to be loaned are of historical significance; that adequate provision has been made for safeguarding and preserving such materials during the time the same are on loan; that the same are to be displayed and used in connection with the forthcoming centennial observance by this state; and that they will be returned to the Secretary of State at the close of such centennial observance unless otherwise specifically directed by resolution of a subsequent legislative session.

2. That the Secretary of State may similarly place on loan the Great Seal of the State of Nebraska, or such parts thereof as the Secretary of State may find can safely be permitted to leave his office, subject to the condition that the Secretary of State shall have the right at any time to require the return of the same whenever he deems it necessary or advisable.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 1. Placed on Select File as amended.

E and R amendments to LB 1:

1. Amend the Carpenter General File amendment to read "In section 1, line 8, insert '*as defined in section 77-112, after 'value'.*'".

2. In the title, line 4, strike "provide" and insert "change".

LEGISLATIVE BILL 2. Placed on Select File as amended.

E and R amendments to LB 2:

1. In lieu of the Rasmussen General File amendment, in section 1, line 28, strike "two years" and insert "*two years sixty days*".

2. In section 1, line 29, insert a stricken comma after "assessment" as in the statutes; and in line 34, strike "overpayment" and insert "*overpayment payment*".

3. In the title, line 5, strike "limit" and insert "repeal provisions for", and in line 6, insert "to change the time for filing claim for refund of any illegal penalty;" after the semicolon.

LEGISLATIVE BILL 3. Placed on Select File as amended.

E and R amendments to LB 3:

1. In section 1, line 6, insert "the" after "for".
2. In the title, line 6, insert "the" after "and", and insert "session" after "legislative".

(Signed) Henry F. Pedersen, Jr., Chairman

MOTION—Suspend Rules

Mr. Pedersen moved to suspend the rules and consider the bills on Select File at this time.

The motion prevailed with 43 ayes, 0 nays and 6 not voting.

SELECT FILE

LEGISLATIVE BILL 1. E and R amendments found in this day's Journal were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 2. E and R amendments found in this day's Journal were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 3. E and R amendments found in this day's Journal were adopted.

Advanced to E and R for engrossment.

President Signs

While the Legislature was in session and capable of transacting business the President signed: LR 1

Announcement

Mr. Gerdes announced that the Interim Study Committee on Handicapped Children would meet in the Legislative Council upon adjournment.

Adjournment

Mr. Pedersen moved to adjourn until 8:30 a.m.

The motion lost.

Mr. Bauer moved to adjourn.

The motion prevailed and at 9:23 a.m., the Legislature adjourned until 9:00 a.m., Thursday, June 9, 1966.

Hugo F. Srb
Clerk of the Legislature

LEGISLATIVE JOURNAL—SEVENTY-SIXTH SESSION

FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, June 9, 1966

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Sorensen presiding.

The prayer was offered by the Chaplain.

Prayer

Heavenly Father, in this moment of prayer, when there is silence in this senate chamber, may there not be silence in Thy presence, may each of us be praying to thee, and may our prayers be heard. May no short circuits be made by our lack of faith, our high professions joined to low attainments, our fine words hiding shabby thoughts, or friendly faces masking cold hearts. Out of the same old needs, conscious of the same old faults, we pray on the same old terms for new mercies and new blessings. In the name of Jesus Christ our Lord. Amen.

The roll was called and all members were present except Messrs. Bowen, Crandall, Danner, Fleming, Hasebroock, Mahoney, Paxton and Skarda, who were excused.

Correction for the Journal

Page 23, line 29, delete "Intergovernmental" and insert "Interim".

The Journal for the Third Day was approved as corrected.

Member Excused

Mr. Brauer asked unanimous consent to be excused for Friday and Saturday. No objections. So ordered.

Visitors

Mrs. Craft escorted Mrs. Dale Erlewine, President of the Nebraska Wheathearts Association and Miss Linda Cain, Nebraska Wheat Queen from Wallace, Nebraska. Miss Cain addressed the members briefly.

Mr. Adamson escorted Mrs. Joan Berry of Lusk, Wyoming to the rostrum. Mrs. Berry was selected as "Mrs. U. S. Savings Bonds", she addressed the members.

Mr. Bauer introduced Linda Smith and Brenda Joy of Bedford, Iowa.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 1. Correctly engrossed.

LEGISLATIVE BILL 2. Correctly engrossed.

LEGISLATIVE BILL 3. Correctly engrossed.

(Signed) Henry F. Pedersen, Jr., Chairman

MOTION—Record Discussion

Mr. Carpenter moved to have the discussion of LB 2 be made a part of the record this morning.

The motion prevailed.

MOTION—Return LB 2 to Select File

Mr. Carpenter moved to return LB 2 to Select File for consideration of the following specific amendment:

1. Amend section 1 of the bill, line 4 by inserting "(1)" after "77-1736.04", and by inserting after line 53 the following:

"(2) When a tax or assessment has been declared illegal by a final judgment of the Supreme Court, any other person or fiduciary, as defined in section 24-621, who shall have paid such tax, shall be entitled to recover any such tax or assessment provided that such person or fiduciary shall bring any such action within one year of the judgment of the Supreme Court. No action shall be permitted under this section other than by such person or fiduciary and the claim or judgment shall not affect any other taxpayer. When a court shall adjudge such person or fiduciary is entitled to such refund, the refund shall be made to such person or fiduciary in accordance with the provisions of subsection (1) of this section."

2. Amend the title of the bill, line 6 by inserting after the semicolon the following:

"to provide for recovery of a tax or assessment which has been declared illegal by a final judgment of the Supreme Court as prescribed;"

Motion pending.

Recess

Mr. Carpenter moved to recess until 10:30 a.m.

The motion lost.

Mr. Syas moved to recess until 10:00 a.m.

The motion prevailed and at 9:30 a.m. the Legislature recessed until 10:00 a.m.

After Recess

The Legislature reconvened at 10:00 a.m., President Sorensen presiding.

The roll was called and all members were present except Messrs. Bowen, Crandall, Danner, Fleming, Hasebroock, Mahoney, Paxton, Payne, and Skarda, who were excused.

Visitors

Mrs. Orme introduced Mrs. L. J. Charko, Life Scout - Stephen Charko and Star Scout - Stanley Garbacz.

Mr. Elrod introduced his wife Helen, and children Mary Jo and James Alan.

Mr. Ruhnke introduced Dr. and Mrs. Vaclav Prihoda of Prague, Czechoslovakia; Mrs. Don Clark of St. Edward, Nebraska and Mrs. Gilbert Karges of Albion, Nebraska.

MOTION—Return LB 2 to Select File

Mr. Carpenter renewed his pending motion found in this day's Journal to return LB 2 to Select File for a specific amendment.

Mr. Harsh moved the previous question. The question is, "Shall the debate now cease?"

The Harsh motion prevailed with 32 ayes, 4 nays and 13 not voting.

The Carpenter motion lost with 1 aye, 36 nays and 12 not voting.

RESOLUTIONS

LEGISLATIVE RESOLUTION 2.

LR 2 was adopted with 39 ayes, 0 nays and 10 not voting.

UNANIMOUS CONSENT—Lobbyist Report Forms

Mr. Ruhnke asked unanimous consent to have the Clerk read the following forms for the filing of lobbyists. No objections. So ordered.

LOBBYING—INITIAL REGISTRATION STATEMENT

(Form 1—for use by the employee)

EMPLOYEE - LOBBYING REGISTRATION STATEMENT**TO THE CLERK OF THE LEGISLATURE**

In compliance with Section 50-310, Revised Statutes of Nebraska, 1943, as amended, I, _____ having been retained
(Name of counsel or agent)
or employed for compensation as counsel or agent by _____
(Name of firm,
_____ to directly or indirectly promote or oppose
corporation, or association)
the passage of bills or resolutions by the Legislature or the executive
approval of such bills or resolutions, do hereby state that the legisla-
tion in reference to which such service is to be rendered is described
as follows:

Dated this _____ day of _____, 19_____.

(Name)

(Home address)

LOBBYING—INITIAL REGISTRATION STATEMENT

(Form 1A—for use by the employer)

**EMPLOYER - LOBBYING REGISTRATION STATEMENT
TO THE CLERK OF THE LEGISLATURE**

In compliance with Section 50-310, Revised Statutes of Nebraska,
1943, as amended, _____ having retained or

(Employer)

employed for compensation _____ as coun-

(Counsel or Agent)

sel or agent to promote or oppose the introduction or enactment of
legislation or resolutions before the Legislature or the legislative com-
mittees or the members thereof and to promote or oppose executive
approval of legislation or resolutions, does hereby state that the con-
tents of the counsel's or agent's Registration Statement has been duly
noted and that the applicant has been authorized to be a lobbyist in
his behalf as specified therein, and that no compensation will be paid
to the applicant contingent upon passage or defeat of such measures.

Dated this _____ day of _____, 19 _____.

(Name of firm, corporation or association)

(Address)

By _____
(Name of Officer)

LOBBYIST MONTHLY FINANCIAL REPORT

(Form 2—for use by the employee)

For the period _____, 19 _____ through _____ 19 _____.

TO THE CLERK OF THE LEGISLATURE

In compliance with Section 50-314, Revised Statutes of Nebraska, 1943,
as amended, the lobbyist shown herein submits this report in connec-
tion with lobbying to promote the passage of bills or resolutions or the
executive approval or disapproval of such bills or resolutions.

19 _____, with the names and amounts paid to each of such payees or received from each of such payers, including all amounts received or to be received by or paid, incurred, or promised to me.

Subscribed and sworn to before me this _____ day of _____, 19_____.

Notary Public

EMPLOYER'S MONTHLY FINANCIAL REPORT

(Form 2A—for use of the employer)

For the period _____, 19_____ through _____, 19_____.

TO THE CLERK OF THE LEGISLATURE

In compliance with Section 50-314, Revised Statutes of Nebraska, 1943, as amended, the employer shown herein submits this report in connection with lobbying to promote the passage of bills or resolutions or the executive approval or disapproval of such bills or resolutions.

EMPLOYER

(Name of firm, corporation or association which employs the following agent)

BY OFFICER

(Name of officer and title of office for the above organization)

LOBBYIST EMPLOYED

(Name of agent or counsel who is employed by above organization and is duly registered to lobby)

For _____

Against _____

The following is a report of the receipts and expenditures as required under Section 50-314, Revised Statutes of Nebraska, 1943, as amended.

From Whom	Amount
_____	_____
_____	_____
_____	_____

TOTAL

To Whom

Amount

TOTAL

TOTALS MUST BE SHOWN ON THIS PAGE. If necessary, a separate sheet for receipts and expenses may be attached to this report.

State of Nebraska

)

) SS.

County)

I, _____, who subscribed the foregoing statement for the above said organization, do solemnly swear that the statement is a true and full account, showing in detail all money directly or indirectly received or promised and all expenses directly or indirectly paid, incurred or promised by the above said organization in connection with legislation pending at the _____ Session of the Legislature, for the month of _____, 19 _____, with the names and amount or amounts paid to each of such payees or received from each of such payers, including all amounts received and to be received by or paid, incurred or promised to lobbying counsel, agent or agents or other creditors.

Subscribed and sworn to before me this _____ day of _____, 19____.

Notary Public

Signature

REGISTERED LOBBYIST**IDENTIFICATION CARD**

This is to
 certify that _____ of _____
 _____, Nebraska, whose signature hereon
 was written in my presence, is registered as a lobbyist in
 the Nebraska Legislature and is employed by _____
 for the _____ session of the Legislature. (If lobbyist
 represents additional employers, said additional employers
 will be listed on the back of the identification card).

 Clerk of the Legislature

(BACK OF CARD)

ADDITIONAL EMPLOYERS

(This card will be green.)

MEMORANDUM TO LOBBYISTS

Attached is a copy of LB 302, passed in the 1965 session of the Legislature, dealing with lobbyists. Your attention is specifically called to the provisions of Section 50-314, Revised Statutes of Nebraska, 1943, as amended, which require you to file with the Clerk of the Legislature EACH MONTH while the Legislature is in session and upon its adjournment, a sworn statement as provided in the statutes.

Your attention is further invited to the penalties provided in Section 50-318, Revised Statutes of Nebraska, 1943, as amended, for failure to comply with the law.

 Hugo F. Srb
 Clerk of the Legislature

MOTION—Adopt Forms

Mr. Ruhnke moved the adoption of the Lobbyist Report Forms.

The motion prevailed with 39 ayes, 0 nays and 10 not voting.

MOTION—Lobbyist Registration Fee

Mr. Ruhnke moved that the lobbyist registration fee apply to each and every employer hiring a lobbyist.

The motion prevailed.

MOTION—Suspend Rules

Mr. Ruhnke moved to suspend the rules that when we adjourn today we reconvene at 9:00 p.m. Friday and meet on Saturday at 12:01 a.m.

The motion prevailed with 34 ayes, 5 nays and 10 not voting.

Visitors

Mr. Harsh introduced Gerald W. Dake, Raymond Pyell and Elmer J. Bennett of Orleans, Nebraska.

Mrs. Orme introduced Mrs. Frank W. Hubbard, daughter of Dr. F. M. Gregg.

Mr. Whitney introduced Mr. Tom Craft of North Platte, Nebraska.

Members Excused

Mrs. Hughes asked unanimous consent to be excused for the Friday evening session. No objections. So ordered.

Messrs. Carpenter, Moylan and Wallwey asked unanimous consent to be excused for Friday and Saturday. No objections. So ordered.

Announcement

Mr. Syas announced a meeting of the Interim Study Committee on Commitment and Care of Mentally Ill, immediately upon adjournment.

Announcement

Mr. Matzke announced the cancellation of the Annual Senators-Lobbyists Family Picnic on Sunday June 12 at Seward, Nebraska.

UNANIMOUS CONSENT—Print in Journal

Mr. Carpenter asked unanimous consent to have the following material printed in the Journal. No objections. So ordered.

- I. If the Supreme Court affirms district court, the following immediate steps must be accomplished:
 1. Income Tax Rate for Calendar Year 1967 must be determined by the State Board prior to September 1, 1966.
 2. Complete withholding system must be operational by January 1, 1967. This includes every employee in Nebraska having signed a form equivalent to a federal W-4 form.
- II. In computing the amount of the Tax Rate for 1967 the State Board of Equalization and Assessment will have to do the following:
 1. Determine the fixed appropriations for fiscal year, 1966-67, that is July 1, 1966 to June 30, 1967.
 2. Subtract unappropriated miscellaneous receipts and fees (estimated annually in advance).

Then the State Board must consider the probable net income taxable under the provisions of this act during the subsequent calendar year and an estimate of the amount that shall be available in the General Fund at the conclusion of the present calendar year.

The board has got to be right in estimating (1) taxable income 16 months in advance (2) General fund balance four months in advance. And, in addition, it is possible that this formula approach may restrict the first year of the biennium.

These taxes levied in 1967 will not be due until April of 1968 with the exception of withholding which is significant and will be collected during the year.

Approximately 60% of 1966 property taxes will not be collected until during the calendar year, 1967. At the same time withholding taxes will be collecting better than 50% of the 1967 taxes.

Consequently we will be collecting the largest share of the 1966 and the 1967 State Tax at the same time.

Explanation of Vote

Had I been present I would have voted "nay" on the amendment to LB 2.

(Signed) Donald Elrod

Adjournment

At 11:07 a.m., on a motion by Mr. Syas the Legislature adjourned until 9:00 p.m., Friday, June 10, 1966.

Hugo F. Srb
Clerk of the Legislature

LEGISLATIVE JOURNAL—SEVENTY-SIXTH SESSION

FIFTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, June 10, 1966

Pursuant to adjournment, the Legislature met at 9:00 p.m.,
President Sorensen presiding.

Prayer was offered by the Chaplain.

Prayer

Our Father, give us the faith to believe that it is possible for us to live victoriously even in the midst of dangerous opportunity that we call crisis. Help us to see that there is something better than patient endurance or keeping a stiff upper lip, and that whistling in the dark is not really bravery. Trusting in Thee, may we have the faith that goes singing in the rain, knowing that all things work together for good to them that love Thee. Through Jesus Christ our Lord. Amen.

The roll was called and all members were present except Messrs. Fleming, Hasebroock, Paxton, Wallwey, Moylan, Carpenter, Mrs. Hughes and Mr. Budd who was excused until 9:15 p.m.

Correction for the Journal

Page 30, last paragraph, correct spelling of "pending."

The Journal for the Fourth Day was approved as corrected.

Members Excused

Messrs. Burbach and Hasebroock asked to be excused for Saturday, June 11.

President Signs

While the Legislature was in session and capable of transacting business, the President signed LR 2.

MOTION—Consider Report

Mr. President: I move we consider the Committee report on the appointments of the Governor. (Signed) Lester Harsh

The motion prevailed 36-0-13.

STANDING COMMITTEE REPORT

Committee on Committees

June 9, 1966

Mr. President:

The Committee on Committees desires to report favorably upon the appointments listed below which were submitted by Governor Frank B. Morrison. The Committee suggests that the appointments be confirmed by this legislative body, and suggests a record vote on each confirmation:

State Board of Health:

Edward B. Robinson
Dr. Fay Smith
H. K. Diers

Director of Administrative Services:

Willard E. Townsend

Advisory State Highway Commission:

Robert O'Keefe (reappointment)
Kirk Mendenhall (reappointment)
Thane Davis (reappointment)

Board of Educational Lands and Funds:

Tom C. Allington (reappointment)

Educational Television Commission:

Howard Stalnaker
Gordon (Bud) Pentz
Joyce Purtzer
Glen Ilgenfritz
Joseph Maresh (reappointment)
Mrs. Maurice Frank (reappointment)

Motor Vehicle Dealers License Board:

Julius Novak
Orville M. Parrish (reappointment)

Director of Motor Vehicles:

James E. Dunlevey

Nebraska Oil and Gas Conservation Commission:

Cliff Griffin (reappointment)
John D. Knapp (reappointment)

Game, Forestation and Parks Commission:

Charles E. Wright
M. M. Muncie

Nebraska Power Review Board:

Lawrence E. Donegan (reappointment)

Sheldon A. Bernstein (reappointment)

State Employees Retirement Board:

Hodge Jones (reappointment)

P. Merle Humphries (reappointment)

Director, Division of Employment, State Department of Labor:

Mark A. Seamark

Advisory Committee on Public Institutions and Public Welfare:

Jack Molsbee (reappointment)

Board of Education of State Normal Schools:

Dr. Francis J. Brown

Director, Department of Banking:

Byron Dunn

Respectfully submitted,

(Signed) Elvin Adamson, Chairman
COMMITTEE ON COMMITTEES**MOTION—Accept Report**

Mr. President: I move that the report of the Committee on Committees be adopted and that each appointment be considered separately and by record vote. (Signed) Elvin Adamson

The motion prevailed. The report was adopted.

Vote on Mr. Robinson

Voting in the affirmative, 39:

Adamson	Elrod	Mahoney	Rasmussen, R.
Batchelder	Gerdes	Marvel	Ruhnke
Bauer	Harsh	Matzke	Skarda
Bowen	Holmquist	Moulton	Stromer
Brauer	Kjar	Nore	Stryker
Burbach	Klaver	Orme	Syas
Carstens	Knight	Payne	Warner
Claussen	Kokes	Pedersen	Whitney
Craft	Kremer	Proud	Wylie
Crandall	Lysinger	Rasmussen, E.	

Voting in the negative, 0.

Not voting, 10:

Budd	Fleming	Moylan	Paxton
Carpenter	Hasebroock	Nelson	Wallwey
Danner	Hughes		

Having received a majority of the votes of all members, the President declared the appointment of Mr. Robinson confirmed.

Vote on Dr. Smith

Voting in the affirmative, 39:

Adamson	Elrod	Mahoney	Rasmussen, R.
Batchelder	Gerdes	Marvel	Ruhnke
Bauer	Harsh	Matzke	Skarda
Bowen	Holmquist	Moulton	Stromer
Brauer	Kjar	Nore	Stryker
Burbach	Klaver	Orme	Syas
Carstens	Knight	Payne	Warner
Claussen	Kokes	Pedersen	Whitney
Craft	Kremer	Proud	Wylie
Crandall	Lysinger	Rasmussen, E.	

Voting in the negative, 0.

Not voting, 10:

Budd	Fleming	Moylan	Paxton
Carpenter	Hasebroock	Nelson	Wallwey
Danner	Hughes		

Having received a majority of the votes of all members, the President declared the appointment of Dr. Smith confirmed.

Vote on Mr. Diers

Voting in the affirmative, 39:

Adamson	Elrod	Mahoney	Rasmussen, R.
Batchelder	Gerdes	Marvel	Ruhnke
Bauer	Harsh	Matzke	Skarda
Bowen	Holmquist	Moulton	Stromer
Brauer	Kjar	Nore	Stryker
Burbach	Klaver	Orme	Syas
Carstens	Knight	Payne	Warner
Claussen	Kokes	Pedersen	Whitney
Craft	Kremer	Proud	Wylie
Crandall	Lysinger	Rasmussen, E.	

Voting in the negative, 0.

Not voting, 10:

Budd	Fleming	Moylan	Paxton
Carpenter	Hasebroock	Nelson	Wallway
Danner	Hughes		

Having received a majority of the votes of all members, the President declared the appointment of Mr. Diers confirmed.

Vote on Mr. Townsend

Voting in the affirmative, 35:

Adamson	Craft	Kokes	Rasmussen, E.
Batchelder	Crandall	Kremer	Rasmussen, R.
Bauer	Elrod	Matzke	Ruhnke
Bowen	Gerdes	Moulton	Stryker
Brauer	Harsh	Nore	Syas
Budd	Holmquist	Orme	Warner
Burbach	Kjar	Payne	Whitney
Carstens	Klaver	Pedersen	Wylie
Claussen	Knight	Proud	

Voting in the negative, 0.

Not voting, 14:

Carpenter	Hughes	Moylan	Skarda
Danner	Lysinger	Nelson	Stromer
Fleming	Mahoney	Paxton	Wallway
Hasebroock	Marvel		

Having received a majority of the votes of all members, the President declared the appointment of Mr. Townsend confirmed.

Vote on Mr. O'Keefe

Voting in the affirmative, 35:

Adamson	Craft	Kokes	Pedersen
Batchelder	Crandall	Kremer	Proud
Bauer	Elrod	Lysinger	Rasmussen, R.
Bowen	Gerdes	Mahoney	Ruhnke
Brauer	Harsh	Marvel	Skarda
Budd	Holmquist	Matzke	Stryker
Burbach	Kjar	Moulton	Syas
Carstens	Klaver	Nore	Whitney
Claussen	Knight	Orme	

Voting in the negative, 0.

Not voting, 14:

Carpenter	Hughes	Payne	Wallwey
Danner	Moylan	Rasmussen, E.	Warner
Fleming	Nelson	Stromer	Wylie
Hasebroock	Paxton		

Having received a majority of the votes of all members, the President declared the appointment of Mr. O'Keefe confirmed.

Vote on Mr. Mendenhall

Voting in the affirmative, 38:

Adamson	Crandall	Lysinger	Rasmussen, R.
Batchelder	Elrod	Mahoney	Ruhnke
Bauer	Gerdes	Marvel	Skarda
Bowen	Harsh	Matzke	Stromer
Brauer	Holmquist	Moulton	Stryker
Budd	Kjar	Nore	Syas
Burbach	Klaver	Orme	Warner
Carstens	Knight	Pedersen	Whitney
Claussen	Kokes	Proud	Wylie
Craft	Kremer		

Voting in the negative, 0.

Not voting, 11:

Carpenter	Hasebroock	Nelson	Rasmussen, E.
Danner	Hughes	Paxton	Wallwey
Fleming	Moylan	Payne	

Having received a majority of the votes of all members, the President declared the appointment of Mr. Mendenhall confirmed.

Vote on Mr. Davis

Voting in the affirmative, 36:

Adamson	Craft	Kokes	Proud
Batchelder	Crandall	Mahoney	Rasmussen, R.
Bauer	Elrod	Marvel	Ruhnke
Bowen	Gerdes	Matzke	Skarda
Brauer	Harsh	Moulton	Stromer
Budd	Holmquist	Nore	Stryker
Burbach	Kjar	Orme	Syas
Carstens	Klaver	Payne	Whitney
Claussen	Knight	Pedersen	Wylie

Voting in the negative, 0.

Not voting, 13:

Carpenter	Hughes	Moylan	Rasmussen, E.
Danner	Kremer	Nelson	Wallwey
Fleming	Lysinger	Paxton	Warner
Hasebroock			

Having received a majority of the votes of all members, the President declared the appointment of Mr. Davis confirmed.

Vote on Mr. Allington

Voting in the affirmative, 39:

Adamson	Crandall	Mahoney	Rasmussen, R.
Batchelder	Elrod	Marvel	Ruhnke
Bauer	Gerdes	Matzke	Skarda
Bowen	Harsh	Moulton	Stromer
Brauer	Holmquist	Nore	Stryker
Budd	Kjar	Orme	Syas
Burbach	Klaver	Payne	Warner
Carstens	Knight	Pedersen	Whitney
Claussen	Kokes	Proud	Wylie
Craft	Kremer	Rasmussen, E.	

Voting in the negative, 0.

Not voting, 10:

Carpenter	Hasebroock	Moylan	Paxton
Danner	Hughes	Nelson	Wallwey
Fleming	Lysinger		

Having received a majority of the votes of all members, the President declared the appointment of Mr. Allington confirmed.

Vote on Mr. Stalnaker

Voting in the affirmative, 38:

Adamson	Crandall	Mahoney	Rasmussen, R.
Batchelder	Elrod	Matzke	Ruhnke
Bauer	Gerdes	Moulton	Skarda
Bowen	Harsh	Nore	Stromer
Brauer	Holmquist	Orme	Stryker
Budd	Kjar	Payne	Syas
Burbach	Klaver	Pedersen	Warner
Carstens	Knight	Proud	Whitney
Claussen	Kokes	Rasmussen, E.	Wylie
Craft	Kremer		

Voting in the negative, 0.

Not voting, 11:

Carpenter	Hasebroock	Marvel	Paxton
Danner	Hughes	Moylan	Wallwey
Fleming	Lysinger	Nelson	

Having received a majority of the votes of all members, the President declared the appointment of Mr. Stalnaker confirmed.

Vote on Mr. Pentz

Voting in the affirmative, 38:

Adamson	Crandall	Mahoney	Rasmussen, R.
Batchelder	Elrod	Matzke	Ruhnke
Bauer	Gerdes	Moulton	Skarda
Bowen	Harsh	Nore	Stromer
Brauer	Holmquist	Orme	Stryker
Budd	Kjar	Payne	Syas
Burbach	Klaver	Pedersen	Warner
Carstens	Knight	Proud	Whitney
Claussen	Kokes	Rasmussen, E.	Wylie
Craft	Kremer		

Voting in the negative, 0.

Not voting, 11:

Carpenter	Hasebroock	Marvel	Paxton
Danner	Hughes	Moylan	Wallwey
Fleming	Lysinger	Nelson	

Having received a majority of the votes of all members, the President declared the appointment of Mr. Pentz confirmed.

Vote on Mrs. Puritzer

Voting in the affirmative, 38:

Adamson	Danner	Mahoney	Rasmussen, R.
Batchelder	Elrod	Matzke	Ruhnke
Bauer	Gerdes	Moulton	Skarda
Brauer	Harsh	Nore	Stromer
Budd	Holmquist	Orme	Stryker
Burbach	Kjar	Payne	Syas
Carstens	Klaver	Pedersen	Warner
Claussen	Knight	Proud	Whitney
Craft	Kokes	Rasmussen, E.	Wylie
Crandall	Kremer		

Voting in the negative, 0.

Not voting, 11:

Bowen	Hasebroock	Marvel	Paxton
Carpenter	Hughes	Moylan	Wallwey
Fleming	Lysinger	Nelson	

Having received a majority of the votes of all members, the President declared the appointment of Mrs. Purtzer confirmed.

Vote on Mr. Ilgenfritz

Voting in the affirmative, 38:

Adamson	Crandall	Mahoney	Rasmussen, R.
Batchelder	Elrod	Matzke	Ruhnke
Bauer	Gerdes	Moulton	Skarda
Bowen	Harsh	Nore	Stromer
Brauer	Holmquist	Orme	Stryker
Budd	Kjar	Payne	Syas
Burbach	Klaver	Pedersen	Warner
Carstens	Knight	Proud	Whitney
Claussen	Kokes	Rasmussen, E.	Wylie
Craft	Kremer		

Voting in the negative, 0.

Not voting, 11:

Carpenter	Hasebroock	Marvel	Paxton
Danner	Hughes	Moylan	Wallwey
Fleming	Lysinger	Nelson	

Having received a majority of the votes of all members, the President declared the appointment of Mr. Ilgenfritz confirmed.

Vote on Mr. Maresh

Voting in the affirmative, 40:

Adamson	Crandall	Kremer	Rasmussen, E.
Batchelder	Danner	Mahoney	Rasmussen, R.
Bauer	Elrod	Marvel	Ruhnke
Bowen	Gerdes	Matzke	Skarda
Brauer	Harsh	Moulton	Stromer
Budd	Holmquist	Nore	Stryker
Burbach	Kjar	Orme	Syas
Carstens	Klaver	Payne	Warner
Claussen	Knight	Pedersen	Whitney
Craft	Kokes	Proud	Wylie

Voting in the negative, 0.

Not voting, 9:

Carpenter	Hughes	Moylan	Paxton
Fleming	Lysinger	Nelson	Wallway
Hasebroock			

Having received a majority of the votes of all members, the President declared the appointment of Mr. Maresh confirmed.

Vote on Mrs. Frank

Voting in the affirmative, 39:

Adamson	Crandall	Kremer	Rasmussen, E.
Batchelder	Danner	Mahoney	Rasmussen, R.
Bauer	Elrod	Marvel	Ruhnke
Bowen	Gerdes	Matzke	Skarda
Brauer	Harsh	Moulton	Stryker
Budd	Holmquist	Nore	Syas
Burbach	Kjar	Orme	Warner
Carstens	Klaver	Payne	Whitney
Claussen	Knight	Pedersen	Wylie
Craft	Kokes	Proud	

Voting in the negative, 0.

Not voting, 10:

Carpenter	Hughes	Nelson	Stromer
Fleming	Lysinger	Paxton	Wallway
Hasebroock	Moylan		

Having received a majority of the votes of all members, the President declared the appointment of Mrs. Frank confirmed.

Vote on Mr. Novak

Voting in the affirmative, 37:

Batchelder	Elrod	Mahoney	Rasmussen, E.
Bauer	Gerdes	Marvel	Rasmussen, R.
Bowen	Harsh	Matzke	Ruhnke
Brauer	Holmquist	Moulton	Skarda
Budd	Kjar	Nore	Stromer
Burbach	Klaver	Orme	Stryker
Carstens	Knight	Payne	Warner
Claussen	Kokes	Pedersen	Whitney
Craft	Kremer	Proud	Wylie
Crandall			

Voting in the negative, 0.

Not voting, 12:

Adamson	Fleming	Lysinger	Paxton
Carpenter	Hasebroock	Moylan	Syas
Danner	Hughes	Nelson	Wallwey

Having received a majority of the votes of all members, the President declared the appointment of Mr. Novak confirmed.

Vote on Mr. Parrish

Voting in the affirmative, 39:

Adamson	Danner	Mahoney	Rasmussen, R.
Batchelder	Elrod	Marvel	Ruhnke
Bauer	Gerdes	Matzke	Skarda
Bowen	Harsh	Moulton	Stromer
Budd	Holmquist	Nore	Stryker
Burbach	Kjar	Orme	Syas
Carstens	Klaver	Payne	Warner
Claussen	Knight	Pedersen	Whitney
Craft	Kokes	Proud	Wylie
Crandall	Kremer	Rasmussen, E.	

Voting in the negative, 0.

Not voting, 10:

Brauer	Hasebroock	Moylan	Paxton
Carpenter	Hughes	Nelson	Wallwey
Fleming	Lysinger		

Having received a majority of the votes of all members, the President declared the appointment of Mr. Parrish confirmed.

Vote on Mr. Dunlevey

Voting in the affirmative, 39:

Adamson	Crandall	Lysinger	Rasmussen, R.
Batchelder	Elrod	Mahoney	Ruhnke
Bauer	Gerdes	Marvel	Skarda
Bowen	Harsh	Matzke	Stromer
Brauer	Holmquist	Moulton	Stryker
Budd	Kjar	Nore	Syas
Burbach	Klaver	Orme	Warner
Carstens	Knight	Pedersen	Whitney
Claussen	Kokes	Proud	Wylie
Craft	Kremer	Rasmussen, E.	

Voting in the negative, 0.

Not voting, 10:

Carpenter	Hasebroock	Nelson	Payne
Danner	Hughes	Paxton	Wallwey
Fleming	Moylan		

Having received a majority of the votes of all members, the President declared the appointment of Mr. Dunlevey confirmed.

Vote on Mr. Griffin

Voting in the affirmative, 41:

Adamson	Danner	Lysinger	Rasmussen, E.
Batchelder	Elrod	Mahoney	Rasmussen, R.
Bauer	Gerdes	Marvel	Ruhnke
Bowen	Harsh	Matzke	Skarda
Brauer	Holmquist	Moulton	Stromer
Budd	Kjar	Nore	Stryker
Burbach	Klaver	Orme	Syas
Carstens	Knight	Payne	Warner
Claussen	Kokes	Pedersen	Whitney
Craft	Kremer	Proud	Wylie
Crandall			

Voting in the negative, 0.

Not voting, 8:

Carpenter	Hasebroock	Moylan	Paxton
Fleming	Hughes	Nelson	Wallwey

Having received a majority of the votes of all members, the President declared the appointment of Mr. Griffin confirmed.

Vote on Mr. Knapp

Voting in the affirmative, 39:

Adamson	Elrod	Mahoney	Rasmussen, R.
Batchelder	Gerdes	Marvel	Ruhnke
Bauer	Harsh	Matzke	Skarda
Brauer	Holmquist	Moulton	Stromer
Budd	Kjar	Nore	Stryker
Burbach	Klaver	Orme	Syas
Carstens	Knight	Payne	Warner
Claussen	Kokes	Pedersen	Whitney
Craft	Kremer	Proud	Wylie
Crandall	Lysinger	Rasmussen, E.	

Voting in the negative, 0.

Not voting, 10:

Bowen	Fleming	Moylan	Paxton
Carpenter	Hasebroock	Nelson	Wallway
Danner	Hughes		

Having received a majority of the votes of all members, the President declared the appointment of Mr. Knapp confirmed.

Vote on Mr. Wright

Voting in the affirmative, 41:

Adamson	Danner	Lysinger	Rasmussen, E.
Batchelder	Elrod	Mahoney	Rasmussen, R.
Bauer	Gerdes	Marvel	Ruhnke
Bowen	Harsh	Matzke	Skarda
Brauer	Holmquist	Moulton	Stromer
Budd	Kjar	Nore	Stryker
Burbach	Klaver	Orme	Syas
Carstens	Knight	Payne	Warner
Claussen	Kokes	Pedersen	Whitney
Craft	Kremer	Proud	Wylie
Crandall			

Voting in the negative, 0.

Not voting, 8:

Carpenter	Hasebroock	Moylan	Paxton
Fleming	Hughes	Nelson	Wallway

Having received a majority of the votes of all members, the President declared the appointment of Mr. Wright confirmed.

Vote on Mr. Muncie

Voting in the affirmative, 40:

Batchelder	Danner	Lysinger	Rasmussen, E.
Bauer	Elrod	Mahoney	Rasmussen, R.
Bowen	Gerdes	Marvel	Ruhnke
Brauer	Harsh	Matzke	Skarda
Budd	Holmquist	Moulton	Stromer
Burbach	Kjar	Nore	Stryker
Carstens	Klaver	Orme	Syas
Claussen	Knight	Payne	Warner
Craft	Kokes	Pedersen	Whitney
Crandall	Kremer	Proud	Wylie

Voting in the negative, 0.

Not voting, 9:

Adamson	Hasebroock	Moylan	Paxton
Carpenter	Hughes	Nelson	Wallwey
Fleming			

Having received a majority of the votes of all members, the President declared the appointment of Mr. Muncie confirmed.

Vote on Mr. Donegan

Voting in the affirmative, 40:

Adamson	Crandall	Lysinger	Rasmussen, E.
Batchelder	Elrod	Mahoney	Rasmussen, R.
Bauer	Gerdes	Marvel	Ruhnke
Bowen	Harsh	Matzke	Skarda
Brauer	Holmquist	Moulton	Stromer
Budd	Kjar	Nore	Stryker
Burbach	Klaver	Orme	Syas
Carstens	Knight	Payne	Warner
Claussen	Kokes	Pedersen	Whitney
Craft	Kremer	Proud	Wylie

Voting in the negative, 0.

Not voting, 9:

Carpenter	Hasebroock	Moylan	Paxton
Danner	Hughes	Nelson	Wallwey
Fleming			

Having received a majority of the votes of all members, the President declared the appointment of Mr. Donegan confirmed.

Vote on Mr. Bernstein

Voting in the affirmative, 41:

Adamson	Danner	Lysinger	Rasmussen, E.
Batchelder	Elrod	Mahoney	Rasmussen, R.
Bauer	Gerdes	Marvel	Ruhnke
Bowen	Harsh	Matzke	Skarda
Brauer	Holmquist	Moulton	Stromer
Budd	Kjar	Nore	Stryker
Burbach	Klaver	Orme	Syas
Carstens	Knight	Payne	Warner
Claussen	Kokes	Pedersen	Whitney
Craft	Kremer	Proud	Wylie
Crandall			

Voting in the negative, 0.

Not voting, 8:

Carpenter	Hasebroock	Moylan	Paxton
Fleming	Hughes	Nelson	Wallway

Having received a majority of the votes of all members, the President declared the appointment of Mr. Bernstein confirmed.

Vote on Mr. Jones

Voting in the affirmative, 40:

Adamson	Crandall	Lysinger	Rasmussen, E.
Batchelder	Elrod	Mahoney	Rasmussen, R.
Bauer	Gerdes	Marvel	Ruhnke
Bowen	Harsh	Matzke	Skarda
Brauer	Holmquist	Moulton	Stromer
Budd	Kjar	Nore	Stryker
Burbach	Klaver	Orme	Syas
Carstens	Knight	Payne	Warner
Claussen	Kokes	Pedersen	Whitney
Craft	Kremer	Proud	Wylie

Voting in the negative, 0.

Not voting, 9:

Carpenter	Hasebroock	Moylan	Paxton
Danner	Hughes	Nelson	Wallway
Fleming			

Having received a majority of the votes of all members, the President declared the appointment of Mr. Jones confirmed.

Vote on Mr. Humphries

Voting in the affirmative, 40:

Adamson	Crandall	Lysinger	Rasmussen, E.
Batchelder	Elrod	Mahoney	Rasmussen, R.
Bauer	Gerdes	Marvel	Ruhnke
Bowen	Harsh	Matzke	Skarda
Brauer	Holmquist	Moulton	Stromer
Budd	Kjar	Nore	Stryker
Burbach	Klaver	Orme	Syas
Carstens	Knight	Payne	Warner
Claussen	Kokes	Pedersen	Whitney
Craft	Kremer	Proud	Wylie

Voting in the negative, 0.

Not voting, 9:

Carpenter	Hasebroock	Moylan	Paxton
Danner	Hughes	Nelson	Wallwey
Fleming			

Having received a majority of the votes of all members, the President declared the appointment of Mr. Humphries confirmed.

Vote on Mr. Seamark

Voting in the affirmative, 40:

Batchelder	Danner	Lysinger	Rasmussen, E.
Bauer	Elrod	Mahoney	Rasmussen, R.
Bowen	Gerdes	Marvel	Ruhnke
Brauer	Harsh	Matzke	Skarda
Budd	Holmquist	Moulton	Stromer
Burbach	Kjar	Nore	Stryker
Carstens	Klaver	Orme	Syas
Claussen	Knight	Payne	Warner
Craft	Kokes	Pedersen	Whitney
Crandall	Kremer	Proud	Wylie

Voting in the negative, 0.

Not voting, 9:

Adamson	Hasebroock	Moylan	Paxton
Carpenter	Hughes	Nelson	Wallwey
Fleming			

Having received a majority of the votes of all members, the President declared the appointment of Mr. Seamark confirmed.

Vote on Mr. Molsbee

Voting in the affirmative, 40:

Adamson	Crandall	Lysinger	Rasmussen, E.
Batchelder	Elrod	Mahoney	Rasmussen, R.
Bauer	Gerdes	Marvel	Ruhnke
Bowen	Harsh	Matzke	Skarda
Brauer	Holmquist	Moulton	Stromer
Budd	Kjar	Nore	Stryker
Burbach	Klaver	Orme	Syas
Carstens	Knight	Payne	Warner
Claussen	Kokes	Pedersen	Whitney
Craft	Kremer	Proud	Wylie

Voting in the negative, 0.

Not voting, 9:

Carpenter	Hasebroock	Moylan	Paxton
Danner	Hughes	Nelson	Wallwey
Fleming			

Having received a majority of the votes of all members, the President declared the appointment of Mr. Molsbee confirmed.

Vote on Mr. Brown

Voting in the affirmative, 40:

Adamson	Crandall	Kremer	Rasmussen, E.
Batchelder	Danner	Mahoney	Rasmussen, R.
Bauer	Elrod	Marvel	Ruhnke
Bowen	Gerdes	Matzke	Skarda
Brauer	Harsh	Moulton	Stromer
Budd	Holmquist	Nore	Stryker
Burbach	Kjar	Orme	Syas
Carstens	Klaver	Payne	Warner
Claussen	Knight	Pedersen	Whitney
Craft	Kokes	Proud	Wyllie

Voting in the negative, 0.

Not voting, 9:

Carpenter	Hughes	Moylan	Paxton
Fleming	Lysinger	Nelson	Wallwey
Hasebroock			

Having received a majority of the votes of all members, the President declared the appointment of Mr. Brown confirmed.

Vote on Mr. Dunn

Voting in the affirmative, 40:

Adamson	Crandall	Kremer	Proud
Batchelder	Danner	Lysinger	Rasmussen, E.
Bauer	Elrod	Mahoney	Rasmussen, R.
Bowen	Gerdes	Marvel	Ruhnke
Brauer	Harsh	Matzke	Skarda
Budd	Holmquist	Moulton	Stromer
Burbach	Kjar	Nore	Stryker
Carstens	Klaver	Orme	Syas
Claussen	Knight	Payne	Whitney
Craft	Kokes	Pedersen	Wyllie

Voting in the negative, 0.

Not voting, 9:

Carpenter	Hughes	Nelson	Wallwey
Fleming	Moylan	Paxton	Warner
Hasebroock			

Having received a majority of the votes of all members, the President declared the appointment of Mr. Dunn confirmed.

Adjournment

At 9:37 p.m., on a motion by Mr. Bowen, the Legislature adjourned until 12:01 a.m., Saturday, June 11, 1966.

Hugo F. Srb
Clerk of the Legislature

LEGISLATIVE JOURNAL—SEVENTY-SIXTH SESSION

SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Saturday, June 11, 1966

Pursuant to adjournment, the Legislature convened at 12:01 a.m., President Sorensen presiding.

Prayer was offered by the Chaplain.

Prayer

O God, our Father, as the battery is recharged without sound or motion, so wilt thou, in this moment of quiet, send thy spirit into the hearts and minds of each one here. With newness of life, with spiritual power, vision, and lively faith, enable them to meet all the demands which lie before them with glad anticipation, and then give them peace for the night. Through Jesus Christ our Lord. Amen.

The roll was called and all members were present except Messrs. Burbach, Carpenter, Fleming, Hasebroock, Moylan, Paxton and Wallwey, who were excused.

Appreciation

Mr. Kjar announced that the refreshments were a courtesy of Mrs. Logsdon, and the members wished to thank her for having them sent up.

Adjournment

At 12:04 a.m., on a motion by Mr. Kjar, the Legislature adjourned until 9:00 a.m., Monday, June 13, 1966.

Hugo F. Srb
Clerk of the Legislature

LEGISLATIVE JOURNAL—SEVENTY-SIXTH SESSION

SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, June 13, 1966

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Sorensen presiding.

Prayer was offered by the Chaplain.

Prayer

O God, our Father, in these days when men freely judge and condemn each other, remind us all that we stand before Thee in judgment. Thou knowest whether we have been voices or merely echoes, whether we have done Thy will or our own, or worse still, have done neither. Teach us, O Lord, that only thy "well done" will afford peace and everlasting happiness. May we strive for that rather than the approval of men, which is but for a little while. In Jesus' name we pray. Amen.

The roll was called and all members were present except Messrs. Carpenter and Fleming, who were excused and Mr. Carstens, who was excused until 9:10 a.m.

The Journals for the Fifth and Sixth Days were approved.

Communication

Letter of appreciation from the family of Christian E. Metzger.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 1. With Emergency.

A BILL FOR AN ACT to amend section 77-722, Reissue Revised Statutes of Nebraska, 1943, relating to revenue and taxation; to change the method of determining the value of stock of foreign corporations; to provide for the application of this act; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 46:

Adamson	Gerdes	Marvel	Rasmussen, E.
Batchelder	Harsh	Matzke	Rasmussen, R.
Bauer	Hasebroock	Moulton	Ruhnke
Bowen	Holmquist	Moylan	Skarda
Brauer	Hughes	Nelson	Stromer
Budd	Kjar	Nore	Stryker
Burbach	Klaver	Orme	Syas
Claussen	Knight	Paxton	Wallwey
Craft	Kokes	Payne	Warner
Crandall	Kremer	Pedersen	Whitney
Danner	Lysinger	Proud	Wylie
Elrod	Mahoney		

Voting in the negative, 0.

Not voting, 3:

Carpenter	Carstens	Fleming
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A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 2. With emergency.

A BILL FOR AN ACT to amend section 77-1736.04, Reissue Revised Statutes of Nebraska, 1943, as amended by Chapter 494, Laws of Nebraska, 1965, relating to revenue and taxation; to repeal provisions for a refund of any tax or assessment found to be illegal; to change the time for filing claim for refund of any illegal penalty; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 47:

Adamson	Elrod	Mahoney	Rasmussen, E.
Batchelder	Gerdes	Marvel	Rasmussen, R.
Bauer	Harsh	Matzke	Ruhnke
Bowen	Hasebroock	Moulton	Skarda
Brauer	Holmquist	Moylan	Stromer
Budd	Hughes	Nelson	Stryker
Burbach	Kjar	Nore	Syas
Carstens	Klaver	Orme	Wallwey
Claussen	Knight	Paxton	Warner
Craft	Kokes	Payne	Whitney
Crandall	Kremer	Pedersen	Wylie
Danner	Lysinger	Proud	

Voting in the negative, 0.

Not voting, 2:

Carpenter Fleming

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 3. With Emergency.

A BILL FOR AN ACT to transfer nineteen thousand dollars from the unexpended balance heretofore appropriated to the Clerk of the Legislature by Chapter 360, Laws of Nebraska, 1965, to provide for the program services and the program legislative session services, as defined in the Accounting Manual on file in the office of the Department of Administrative Services, incurred during the Seventy-sixth (Extraordinary) Session of the Legislature of the State of Nebraska; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 47:

Adamson	Elrod	Mahoney	Rasmussen, E.
Batchelder	Gerdes	Marvel	Rasmussen, R.
Bauer	Harsh	Matzke	Ruhnke
Bowen	Hasebroock	Moulton	Skarda
Brauer	Holmquist	Moylan	Stromer
Budd	Hughes	Nelson	Stryker
Burbach	Kjar	Nore	Syas
Carstens	Klaver	Orme	Wallwey
Claussen	Knight	Paxton	Warner
Craft	Kokes	Payne	Whitney
Crandall	Kremer	Pedersen	Wylie
Danner	Lysinger	Proud	

Voting in the negative, 0.

Not voting, 2:

Carpenter Fleming

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Explanations of Vote

Mr. President: Had I been present, I would have voted "aye" on LB 1, LB 2, and LB 3 on Final Reading.

(Signed) Terry Carpenter

Mr. President: If I had been present I would have voted "yes" on LB 1.

(Signed) Fred W. Carstens

Visitors

Mr. Stromer introduced Mr. Harry Wade, Associate Professor, Political Science, Washburn University of Topeka, Topeka, Kansas.

Mr. Whitney introduced Mrs. A. J. Davis and Mrs. Albert Bentley of Lisco, Nebraska.

Mr. Kremer introduced former Legislative Page, Peggy Tucker.

Mr. Nore introduced Mr. N. J. Mrzlak of Columbus.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 1. Correctly enrolled.

LEGISLATIVE BILL 2. Correctly enrolled.

LEGISLATIVE BILL 3. Correctly enrolled.

(Signed) Henry F. Pedersen, Jr., Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed: LB 1 LB 2 and LB 3.

MOTION—Notify Governor

Mr. President: I move that a committee of five be appointed to wait upon the Governor to advise him that the Legislature has completed its work and is ready to adjourn and ask him if he has any further message for the Legislature.

(Signed) Peter H. Claussen

The motion prevailed and the President appointed the following to serve on said committee: Messrs. Claussen, Bauer, Danner, Wylie and Skarda.

MOTION—Printing

Mr. President: I move that we approve the printing of the legislative bills, Session Laws, daily journals, and permanent Legislative Journal by Joe Christensen.

(Signed) Jerome Warner

The motion prevailed.

MOTION—Postage

Mr. President: I move that Senator Donald Elrod and Senator Ellen Craft be allowed \$100.00 in postage stamps to take care of correspondence during the balance of their terms after adjournment sine die; payment to be made from Account 1942.

(Signed) C. B. Batchelder

The motion prevailed.

MOTION—Journals, Session Laws

Mr. President: I move that the State Librarian be authorized and directed to furnish Senator Donald Elrod the current Reissue Revised Statutes of 1943, the 1963 Supplement thereto, and the Cumulative Pocket Part Supplement, October 1965; also the permanent Journals and Session Laws for the Seventy-fifth Session.

(Signed) Fern Hubbard Orme

The motion prevailed.

MOTION—Journals, Session Laws

Mr. President: I move that the Clerk of the Legislature be instructed to send to each member of the Legislature, to the Lieutenant Governor, and to each authorized member of the Press, assigned to the Legislature of the Seventy-sixth (Extraordinary) Session, a copy of the permanent Legislative Journal of said session, and a copy of the Session Laws passed thereat.

(Signed) George Syas

The motion prevailed.

MOTION—Appreciation to Press

Mr. President: I move that a vote of thanks be given to the newspapers and the press associations for their accuracy and fairness in reporting to the people of our State the activities of this Session of the Legislature.

(Signed) Sam Klaver

The motion prevailed.

MOTION—Retain Help

Mr. President: I move that the Clerk of the Legislature be directed to retain such employees as may be required to complete the business of the office for the Seventy-sixth (Extraordinary) Session of the Legislature.

(Signed) Kenneth L. Bowen

The motion prevailed.

MOTION—Approve Journal

Mr. President: I move that the Legislative Journal for the Seventh Day be approved as prepared by the Clerk.

(Signed) Eugene T. Mahoney

The motion prevailed.

Escort Governor

The committee escorted Governor Frank B. Morrison to the rostrum.

The Governor expressed appreciation and thanks to the members of the Legislature.

The committee escorted the Governor from the rostrum.

Presented to the Governor

Presented to the Governor for approval on June 13, 1966 at 9:30 a.m.: LB 1 LB 2 LB 3.

(Signed) Bonnie J. Hanneman, Enrolling Clerk

Appreciation

On behalf of the members of the Legislature, Mr. Bowen expressed appreciation to the following members who will not serve in the next regular session: Messrs. Nelson, Claussen, Lysinger and Bauer.

Messrs. Nelson, Claussen, Lysinger and Bauer addressed the Legislature briefly.

MOTION—Adjournment

Mr. President: The Seventy-sixth (Extraordinary) Session of the Legislature of Nebraska having finished all business before it, I move that it now adjourn sine die.

(Signed) Frank Nelson

The motion prevailed and at 9:50 a.m., the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

CERTIFICATE

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CERTIFICATE

I, Hugo F. Srb, Clerk of the Legislature, hereby certify that the foregoing is a true and correct copy of the Legislative Journal of the Seventy-sixth (Extraordinary) Session of the Legislature of the State of Nebraska, convened and held in the City of Lincoln, State of Nebraska, June 6, 1966 to June 13, 1966.

(Signed) Hugo F. Srb
Clerk of the Legislature

June 17, 1966
Lincoln, Nebraska

LEGISLATIVE BILLS

Received after adjournment

MESSAGE FROM THE GOVERNOR

June 15, 1966

Mr. Hugo Srb
Clerk of the Legislature
State Capitol
Lincoln, Nebraska

Dear Mr. Srb:

This is to inform you that on June 14, 1966, Governor Morrison approved Legislative Bills Nos. 1, 2 and 3.

Respectfully,

(Signed) Jo Fisher
Secretary to the Governor

LEGISLATIVE BILLS ENACTED INTO LAW

Seventy-sixth (Extraordinary) Session

- 1 Burbach, Gerdes. Foreign corporations, stock value determination, taxation
- 2 Burbach, Gerdes. Illegal tax assessments, penalty refunds
- 3 Marvel. Legislative expenses, appropriation, fund transfer

LEGISLATIVE BILLS

By Original Introdurers

GEORGE C. GERDES

1, 2, with others

J. W. BURBACH

- 1 Foreign corporations, stock value determination, taxation
- 2 Illegal tax assessments, penalty refunds

RICHARD D. MARVEL

- 3 Legislative expenses, appropriation, fund transfer

**NEBRASKA STATE LEGISLATURE
SEVENTY-SIXTH (EXTRAORDINARY) SESSION**

Total Number of Bills Introduced 3

The following table shows the final
disposition of each bill

Approved by the Governor, 3:

1	2	3
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